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November 26, 2012

VIA ELECTRONIC MAIL

The Honorable Leslie G. Foschio
United States Magistrate Judge
United States District Court
Western District of New York
U.S. Courthouse
2 Niagara Square
Buffalo, New York 14202

Re: Ceglia v. Zuckerberg and Facebook, Inc., No. 1:10-cv-569-RJA-LGF

Dear Judge Foschio:

We represent Defendants Facebook, Inc. and Mark Zuckerberg in the above-referenced action. Defendants respectfully reiterate their unopposed request that the Court order disclosure of Plaintiff's attorney Dean Boland's improper *in camera* withdrawal submission.

In their Response to Boland's Motion to Withdraw, Defendants noted that Boland's *in camera* withdrawal submission violates the Local Rules of the Western District of New York and is contrary to Second Circuit authority. *See* Doc. No. 595 at 3-4. Pursuant to this Court's order, Boland's deadline to submit a reply in support of his withdrawal motion was November 21, 2012. *See* Doc. No. 582. Boland did not file a reply or otherwise respond to Defendants' request regarding disclosure of his improper *in camera* submission. That request is therefore unopposed and should be granted immediately.

Given the upcoming telephonic hearing on Boland's motion, scheduled for 2:00 p.m. tomorrow, Defendants respectfully ask this Court to order Boland's *in camera* submission publicly docketed, or at least disclosed to Defendants, as soon as possible.

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Finally, Defendants note that Plaintiff has not filed any opposition to Defendants' dispositive Motion for Judgment on the Pleadings by the Court-ordered deadline to do so, November 25, 2012—itself an extension of Plaintiff's initial deadline of November 19. *See* Doc. Nos. 566, 572, 607.

Respectfully submitted,



Alexander H. Southwell

cc: Terrance Flynn, Esq.
Dean Boland, Esq.
Paul A. Argentieri, Esq.